

POTPOURRI NOTICE

Department of Environmental Quality Office of Environmental Assessment

Solicitation of Comments on Effects of Disposal of Oil and Gas Exploration and Production (E&P) Waste in Solid Waste Landfills (LAC 33:Part VII, Solid Waste Regulations) (0502Pot2)

In November 2001 the Louisiana Department of Natural Resources (DNR) promulgated rules that allowed E&P waste to be received, stored, treated and/or disposed at a regulated facility permitted by the Department of Environmental Quality (DEQ) under the standards of LAC 33.Parts V and VII. Additionally, an independent report in July 2004 of the review of Louisiana's E&P waste regulations by the nonprofit organization State Review of Oil and Natural Gas Environmental Regulations, Inc. (STRONGER) recommended that "the DEQ consider allowing the disposal of E&P wastes at solid waste landfills" under certain criteria (Review Finding and Recommendation V.7).

E&P waste is considered a new waste stream for DEQ permitted facilities. The waste stream has primarily been regulated by DNR. If DEQ should allow the waste stream to enter the solid waste universe, there will be some shared responsibility with DNR regarding disposal management. To assist DEQ with the identification of technical and economic issues associated with the disposal of E&P wastes, DEQ is soliciting comments on minimum standard requirements and other relevant information for waste acceptance at DEQ regulated solid waste facilities. The proposed minimum standards currently under consideration are:

- Required Waste Testing—Waste should be analyzed for Toxicity Characteristic Leachate Procedure to ensure that the waste is nonhazardous.
- Solid Waste Facility Criteria—E&P waste can only be managed at Type 1 facilities (facilities that take industrial solid waste for disposal).
- Permit Requirements—Facilities must apply to DEQ for a permit modification to receive authorization to accept such wastes. This would be considered a major modification of the permit, which would require public comment and possibly a public hearing.
- Responsibility for DEQ—If disposed at a DEQ regulated facility, E&P waste would become the regulatory responsibility of DEQ upon receipt by the disposal facility. DEQ's authority would only be for the waste disposed in a landfill upon the date of any regulations promulgated.
- Waste Tracking and Liability—The current manifesting and "cradle-to-grave" liability requirements under the DNR rules would remain in place.

DEQ requests all interested parties submit comments on the following questions.

- Will solid waste Type I facilities be willing to accept this new waste stream?
- Will any of the listed waste streams cause any odor problems?
- Will the possible presence of chlorides in an individual waste stream cause problems with the landfill's leachate collection and/or water treatment facilities?

- Should DEQ limit acceptance to only certain types of E&P wastes?
- Is there any beneficial use of this waste stream at the landfill?
- What are the expected environmental advantages and/or disadvantages of the rules under consideration?
- What is the potential implementation costs (increase or decrease) for E&P waste generators and landfills, both solid waste and DNR facilities?
- Is there any other information you desire to offer?

Resource links regarding this issue are as follows:

- STRONGER Home Page:
<http://www.strongerinc.org>
- 2000 STRONGER E&P Waste Review Guidelines (on which the July 2004 LA Review Report was based):
http://www.strongerinc.org/pdf/Final_Guidelines.pdf
- STRONGER Louisiana Report – July 2004:
[http://www.strongerinc.org/pdf/Final LA Report.pdf](http://www.strongerinc.org/pdf/Final_LA_Report.pdf)
- Office of Conservation Link for E&P wastes:
<http://dnr.louisiana.gov/CONS/CONSERIN/Waste.ssi>

Comments are due no later than 4:30 p.m., April 1, 2005, and should be submitted to Sharon Parker, Office of Environmental Assessment, Regulation Development Section, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3582 or by e-mail to sharon.parker@la.gov.

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